

MANDATE

W.D.N.Y.
11-cv-6205
Siragusa, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of May, two thousand fourteen.

Present:

Rosemary S. Pooler,
Reena Raggi,
Richard C. Wesley,
Circuit Judges.

Daniel J. Wik,

Plaintiff-Appellant,

v.

12-4518

Donald R. Kunego, in his personal and individual capacity,

Defendant-Appellee.

Appellant, *pro se*, moves for an order clarifying that this Court has jurisdiction to consider his appeal. Upon due consideration, it is hereby ORDERED that the motion is GRANTED. This Court has jurisdiction to consider appeals from final judgments of the Western District of New York. *See* 28 U.S.C. §§ 1291, 1294. It is further ORDERED that the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See Pillay v. INS*, 45 F.3d 14, 17 (2d Cir. 1995) (finding that this Court has “inherent authority” to dismiss an appeal that lacks an arguable basis in law or fact).

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

SAO-RDT

Catherine O'Hagan Wolfe



Catherine O'Hagan Wolfe

MANDATE ISSUED ON 08/05/2014